

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PHILIP BERRYMAN,

Petitioner,

v.

Case No. 07-14782
Honorable George Caram Steeh

DEBRA SCUTT,

Respondent.

**ORDER DENYING PETITIONER'S
EX PARTE MOTION TO CORRECT ASSIGNMENT OF CASE (DOCKET #30)**

This matter is before the Court on Petitioner's "Ex Parte Motion To Correct Assignment Of Case" (Docket # 30.) Again, Petitioner is asking that the Court recuse itself from this case; this is Petitioner's fourth request. The Court will treat this motion, once again, as a motion for reconsideration of its prior ruling and will **DENY** the request.

On June 2 , 2008, Petitioner filed a motion with this Court, requesting that the Court disqualify itself. (Docket # 20.) The Court denied the motion. (Docket # 21.) Then, on June 19, 2008, Petitioner filed a motion for reconsideration of that order, which the Court denied on June 20, 2008. (Docket ## 25 and 26.) On June 25, 2008, Petitioner wrote a letter to the Court requesting the same. (Docket #28.) Now before the Court is Petitioner's fourth request, again asking that the case be reassigned. (Docket #30.) The Court adheres to its prior position and states as follows.

The Court's June 9, 2008 (Docket # 21), and June 20, 2008 (Docket #26), orders remain in effect. Petitioner is **ENJOINED** from filing any further motions until his habeas corpus petition is decided, without first seeking and obtaining leave of this Court. The Court reminds

Petitioner that such leave shall not be granted unless he demonstrates that the claim or claims he wishes to present are new claims never before raised and disposed of and are properly before the Court, and that his filing is made in good faith and the issues he raises are neither frivolous nor abusive of the judicial process. Petitioner is specifically cautioned that any attempt to file without first securing the required leave of the Court, or any request for leave that is frivolous or appears to have been submitted for an improper purpose, may result in the imposition of sanctions or the initiation of contempt proceedings.

Accordingly,

IT IS ORDERED that Petitioner's motion (Docket # 30) is **DENIED**.

Dated: August 15, 2008

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
August 15, 2008, by electronic and/or ordinary mail.

S/Josephine Chaffee
Deputy Clerk